

08-27-01

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<p>FORM PTO-1390 (REV. 11-2000)</p> <p style="text-align: center;">U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</p> <p style="text-align: center;">TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</p>		<p>ATTORNEY'S DOCKET NUMBER 5/1252</p> <p>U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/914323</p>
<p>INTERNATIONAL APPLICATION NO. PCT/EP00/01496</p>	<p>INTERNATIONAL FILING DATE 24/02/2000</p>	<p>PRIORITY DATE CLAIMED 27/02/1999</p>
<p>TITLE OF INVENTION Bicyclic heterocycles, pharmaceutical compositions containing these compounds, their use and processes for preparing them</p>		
<p>APPLICANT(S) FOR DO/EO/US Himmelsbach, F. et al</p>		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p>		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
<p>Items 11 to 20 below concern document(s) or information included:</p>		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <div style="margin-left: 20px;"> <p>Initial Information Data Sheet</p> <p>Certified Priority Documents: US 60/149,329, filed 17/08/1999; DE 199 08 567.6, filed 27/02/1999; DE 199 11 366.1, filed 15/03/1999; DE 199 28 306.0; filed 21/06/1999; DE 199 54 816.1, filed 13/11/1999</p> </div> 		

U.S. APPLICATION NO. 09/914323 INTERNATIONAL APPLICATION NO. PCT/EP00/01496		ATTORNEY'S DOCKET NUMBER 5/1252					
21. <input type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =		CALCULATIONS PTO USE ONLY <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; border-bottom: 1px solid black;">\$</td> <td style="width:50%; border-bottom: 1px solid black;">860.00</td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$</td> <td style="border-bottom: 1px solid black;">130.00</td> </tr> </table>		\$	860.00	\$	130.00
\$	860.00						
\$	130.00						
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; border-bottom: 1px solid black;">\$</td> <td style="width:50%; border-bottom: 1px solid black;">130.00</td> </tr> </table>		\$	130.00		
\$	130.00						
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
Total claims	52 - 20 =	32	x \$18.00				
Independent claims	4 - 3 =	1	x \$80.00				
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00				
TOTAL OF ABOVE CALCULATIONS =			\$ 1,916.00				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			+ \$ 0.00				
SUBTOTAL =			\$ 1,916.00				
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$ 0.00				
TOTAL NATIONAL FEE =			\$ 1,916.00				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			\$ 0.00				
TOTAL FEES ENCLOSED =			\$ 1,916.00				
			<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; border-bottom: 1px solid black;">Amount to be refunded:</td> <td style="width:50%; border-bottom: 1px solid black;">\$</td> </tr> <tr> <td style="border-bottom: 1px solid black;">charged:</td> <td style="border-bottom: 1px solid black;">\$</td> </tr> </table>	Amount to be refunded:	\$	charged:	\$
Amount to be refunded:	\$						
charged:	\$						

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 02-2955 in the amount of \$ _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
 overpayment to Deposit Account No. 02-2955. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
 information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:
 Robert P. Raymond
 Boehringer Ingelheim Corporation
 900 Ridgebury Road, P. O. Box 368
 Ridgefield, CT 06877-0368

SIGNATURE
 Alan R. Stempel
 NAME
 28,991
 REGISTRATION NUMBER

08/24/2001